

CITY OF KREBS  
COUNCIL MEETING MINUTES  
MARCH 21, 2023

1. MEETING CALLED TO ORDER: by David C. Nelms, Mayor.
2. ROLL CALL by Sharon L. Long, City Clerk. David C. Nelms – present, Tommy Walker – present, Connie Poole – present, Jason Wagnon – present, David Bailey – present.
3. PRAYER by David Bailey. PLEDGE OF ALLEGIANCE led by Mayor David C. Nelms.
4. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE FEBRUARY 21, 2023 COUNCIL MEETING. Connie Poole made the motion to approve the minutes of February 21, 2023. David Bailey seconded the motion. Mayor Nelms called for a vote. Tommy Walker – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
5. DISCUSS AND ACT TO APPROVE THE CLAIMS. Connie Poole made a motion to approve the claims. Jason Wagnon seconded the motion. Mayor Nelms called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Tommy Walker – yes. Motion passes.
6. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN. Mr. Kerns stated to turn to page 3 to look at Statement of Revenue and Expenses. For the eight (8) months ending February 28, 2023 we have received \$1,756,902.97 in revenues. As you can see, we have exceeded our budget. Mr. Kerns stated to turn to page 5 for Total Expenses. We have spent \$1,783,489.80 which that includes the \$373,701.49 that was transferred over to help the PWA to pay for the equipment and capital projects that we had to take care of. He stated projecting out for the budget this year, we are going to be pretty much in line with our current budget. He also stated with the Sales Tax, his estimation would increase just a little due to the Casey's Store. Right now, we are in a very stable position.
7. BUSINESS PREVIOUSLY DISCUSSED. DISCUSS AND ACT TO APPROVE A LEASE AGREEMENT BETWEEN U.S. ARMY CORPS OF ENGINEERS AND PITTSBURG COUNTY SHERIFF'S OFFICE CHRIS MORRIS ON HIGHWAY 31 LANDING. Mayor Nelms stated that Chris Morris was going to give him a lease agreement, but has not received yet. Mayor Nelms asked Pat Layden if he had a chance to look into this. Mr. Layden stated that he went and met with the City of Crowder, and that they think this is fantastic. Mr. Layden went on to say that if this does pass through the city, we would have to be involved with lease purposes. He explained that the Corp makes sure that the lessee or whomever is running it does everything, they put a lot of rules into this and makes them comply, and that the city doesn't really have anything to do with it, other than taking money, not a lot but some. Mr. Layden also stated that this would be patrolled by the county, not the City of Krebs. Mayor Nelms called for a motion. No one made a motion. Motion dies.
9. BUSINESS NOT PREVIOUSLY DISCUSSED.
  - A. DISCUSS AND ACT TO REZONE PROPERTY FROM A-1 AGRICULTURE TO R-1 RESIDENTIAL LOCATED AT LOT FORTY-TWO (42) IN TOWNSITE #7. Jimmie Talbot addressed the council. Mr.

Talbot stated that he doesn't have a problem with this being re-zoned but was concerned about by putting in more housing, because of the poor road conditions would mean more traffic. He stated that this needs Infrastructure, also not a single fire hydrant is located in this area except by the church. He went on to say that the creek has been moved from one side to the other, so now the water is moving in the opposite direction making this flood in areas. Mr. Talbot stated that before any housing goes up, all the issues need to be fixed.

Caitlin Crone addressed the council. Mrs. Crone asked if the road regulations are supposed to be 20 feet, she stated that some are 15 feet, when is this going to get fixed? She stated that there is no way we can accommodate more traffic without jeopardizing the safety of others. She went on to say; what about the sewer and water plant, what capacity are we at with this? Mrs. Crone stated she is not against this, just that we need to fix all the problems first before any homes are built. Tommy Walker made a motion to approve rezoning from A-1 to R-1. Connie Poole seconded the motion. Mayor Nelms called for a vote. Tommy Walker – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.

- B. DISCUSS AND ACT TO APPROVE ORDINANCE N.O. 23-05 AMENDING ZONING FROM A-1 AGRICULTURE TO R-1 RESIDENTIAL IN LOT FORTY-TWO IN TOWNSITE #7. Tommy Walker made a motion to approve Ordinance 23-05. David Bailey seconded the motion. Mayor Nelms called for a vote. Tommy Walker – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- C. DISCUSS AND ACT TO APPROVE A USED CAR LOT AT 2431 N. GEORGE NIGH. HAS PLANS TO CHANGE HOUSE INTO OFFICE AND PAVING PROPERTY FOR PARKING AND FENCING. OWNED AND OPERATED BY CHAN LEE. Chan Lee addressed the council. Mr. Lee stated he is wanting to open a used car lot. He stated that this property is commercially zoned. David Bailey made a motion to approve used car lot at 2431 N. George Nigh. Tommy Walker seconded the motion. Mayor Nelms called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Tommy Walker – yes. Motion passes.
- D. DISCUSS AND ACT TO APPROVE CAR LOT AT 840 SW GRANT. CURRENTLY HAS AN AUTO SHOP FOR REPAIRS. OWNED AND OPERATED BY JEREMY PIERCE. Jeremy Pierce addressed the council. Mr. Pierce stated that he already has a mechanic shop at this location. He stated he is just needing to get approval for a used car lot. Connie Poole made a motion to approve used car lot at 840 SW Grant. Jason Wagnon seconded the motion. Mayor Nelms called for a vote. Tommy Walker – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- E. DISCUSS AND ACT TO AMEND RESOLUTION 18-03 FEE SCHEDULE FOR MEDICAL MARIJUANA PERMITS. Blake Lynch with Cannabis 31 addressed the council. Mr. Lynch stated he has had the opportunity to look over several of these permits. He stated that Krebs is a unique place and where it's at, I think it needs to be treated uniquely and not cookie cutter like other towns. He went on to say that our town depends on business to come in and grow our town. Mr. Lynch stated but to add a fee of \$2500.00 every year, you are discouraging the business to

stay or come here to Krebs. He also stated that if we are not charging a restaurant \$2500.00 then their business shouldn't be charged that amount either.

Mathew Vaughn with Hashtag 420 addressed the council. Mr. Vaughn stated that \$2500.00 is a little excessive especially when other businesses are paying a lot less. He stated that this has nothing to do with our businesses not wanting to pay, it's the fact we want to be treated like everyone else. He said that McAlester has 18,000 people and are asking a lower cost for license and permits than what we are asking. Tommy Walker made a motion to charge \$250.00 each per license each year for Medical Marijuana permits. Connie Poole seconded the motion. Mayor Nelms called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Tommy Walker – yes. Motion passes.

- F. DISCUSS AND ACT TO APPROVE PAY RATE OF \$400 A MONTH FOR VICE MAYOR/PRESIDENT OF COUNCIL POSITION BEGINNING MAY 1, 2023. Mr. Walker stated he is the one that wanted this to be on the agenda. He continued with a lot of the times the mayor cannot be here and the Vice Mayor is having to spend a couple of hours signing paper work. Mr. Layden stated we would need to check with OML to see if this is legal. Tommy Walker made a motion to approve pay rate of \$400.00 per month for vice mayor beginning May 1, 2023. David Bailey seconded the motion. Mayor Nelms called for a vote. Tommy Walker – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- G. DISCUSS AND ACT TO PURCHASE PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$12,916.00. David Bailey stated as long as we are approved for the equipment. Mr. Bailey stated he has spoken to the Treasurer; W. Kay Scott and she is ready to get this ordered and to get the playground equipment put in. Connie Poole asked Mike Kerns what budget this came out of. Mike Kerns replied, we were approved for \$49,000.00 set up for the park and we have spent \$29,000.00 so far this year. Tommy Walker made a motion to purchase playground equipment in the amount of \$12,916.00. Jason Wagnon seconded the motion. Mayor Nelms called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Tommy Walker – yes. Motion passes.
- H. DISCUSS AND ACT FOR ROY RODGERS WITH PITTSBURG COUNTY SHERIFF'S DEPARTMENT TO SPEAK ABOUT RADIO FREQUENCIES. Roy Rodgers addressed the council. He stated he works as the Communications center at the Sheriff's Department. He said that we have a frequency that we are using with the City of Krebs, # 155625. Mr. Rodgers stated that he is needing a license and an "ok" from the City of Krebs. He also stated that if this is licensed and something goes wrong with the interference or communications system, it will be on the Sheriff's Department to get resolved. Connie Poole made the motion to approve radio frequency communications with Roy Rodgers at the Sheriff's Department. Tommy Walker seconded the motion. Mayor Nelms called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Tommy Walker – yes. Motion passes.

10. COMMENTS FROM THE COUNCIL AND MAYOR. Tommy Walker stated the Post Office is still needing to be cleaned up and to re-paint the stripes.

11. ADJOURN TO KUA. Tommy Walker made a motion to adjourn. David Bailey seconded the motion. Mayor Nelms called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Tommy Walker – yes. Motion adjourned.